IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

WP(C).No. 13303 of 2007(H)

PETITIONER:

PARAMESWARAN NAIR, AGED 73, S/O.K. ACHUTHAMENON, KARUMATHIL HOUSE, THRISSUR ROAD, KUNNAMKULAM,THRISSUR DISTRICT.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:

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1. THE KUNNAMKULAM MUNICIPALITY, REP. BY THE SECRETARY,KUNNAMKULAM P.O., THRISSUR DISTRICT.

2. ACHUTHAN NAIR, S/O.ACHUTHA MENON, KARUMATHIL HOUSE, KANIPAYYUR VILLAGE, TALAPPILLY TALUK.

3. THE STATE OF KERALA, REP. BY THE SECRETARY TO GOVERNMENT,LOCAL SELF ADMINISTRATION DEPARTMENT,THIRUVANANTHAPURAM.

R1 BY ADV. SRI.GRASHIOUS KURIAKOSE
R2 BY ADV.SRI. SUDHEESH
SMT. BINDU C.V.
R3 BY GOVT. PLEADER SRI.MOHAMMED ANZAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.13303 of 2007

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Dated this the 25th day of June, 2007

JUDGMENT

Petitioner has approached this court on the following brief allegations:

Petitioner is conducting a hotel. There is an ongoing dispute with his brother, who is the second respondent. The licence stands in the name of the petitioner since 2000. There is also civil dispute pending and there is an interim injunction against the second respondent. Petitioner has applied for renewal of the licence. This court passed an interim order on 13.4.2007 to the following effect:

> "There will be stay against closure of petitioner's hotel for two months."

2. After hearing counsel for the parties, the writ petition is disposed of as follows:

There will be a direction to the first respondent to consider and take a decision on the application for renewal, which is evidenced by Ext.P6, after hearing the petitioner and the second respondent as expeditiously as possible. In order to facilitate an early decision, the

petitioner and the second respondent or their representatives shall be present before the first respondent at 11 a.m., on 7.7.2007. The Secretary will hear the parties as aforesaid on 7.7.2007 and thereafter take a decision in accordance with law within a further period of fifteen days. Till such time as a decision is taken, the interim order will continue.

(K.M. JOSEPH, JUDGE)

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